

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS CUJI, on behalf of himself, FLSA
Collective Plaintiffs and the Class,

Plaintiff,

-against-

SISTINA RESTAURANT INC d/b/a SISTINA,
CARAVAGGIO, INC. d/b/a CARAVAGGIO,
GUIESEPPPE BRUNO, and GERARD BRUNO,

Defendants.

Case No. 1:20-cv-05594 (DCF)

**NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT AS AGAINST
DEFENDANT CARAVAGGIO INC. PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(6)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Caravaggio, Inc.'s ("Moving Defendant" or "Caravaggio") Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and the Declaration of Adam S. Gross, Esq., as well as the exhibits attached thereto, Caravaggio, by its undersigned attorneys, will move this Court before the Honorable Judge Debra C. Freeman at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on a time and date to be determined by the Court, for an Order: (1) dismissing Plaintiff's claims against Caravaggio in their entirety with prejudice; and (2) granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

JACKSON LEWIS P.C.
*ATTORNEYS FOR DEFENDANTS SISTINA
RESTAURANT INC., CARAVAGGIO, INC.
AND GIUESEPPE BRUNO*

Dated: December 18, 2020
New York, New York

By: /s Adam S. Gross
Adam S. Gross Esq.
Godfre O. Blackman Esq.

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2020, the enclosed **NOTICE OF DEFENDANT CARAVAGGIO, INC.'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT PURSUANT TO RULE 12(B)(6) OF THE FEDERAL RULES OF CIVIL PROCEDURE** was electronically filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, the Southern District's Local Rules, and the Southern District's Rules on Electronic Service, upon the following parties and participants:

C.K. LEE, ESQ.
LEE LITIGATION GROUP, PLLC
ATTORNEYS FOR PLAINTIFF
148 West 24th Street, 8th Floor
New York, New York 10011

/s Adam S. Gross
Adam S. Gross